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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/526,441	03/16/2000	Kamran Ahmed	10442-4"US" JA/mb JA/mb	2595
20988	7590	11/01/2004	EXAMINER	
OGILVY RENAULT 1981 MCGILL COLLEGE AVENUE SUITE 1600 MONTREAL, QC H3A2Y3 CANADA			BRIER, JEFFERY A	
			ART UNIT	PAPER NUMBER
			2672	

DATE MAILED: 11/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/526,441

Applicant(s)

AHMED, KAMRAN

Examiner

Jeffery A Brier

Art Unit

2672

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 17 August 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see page 2.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: _____.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Jeffery A Brier
Primary Examiner
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Response to Arguments

1. The petition filed 8/17/2004 will be handled by the SPREs associated with this art unit.
2. Applicant's arguments filed 8/17/2004 have been fully considered but they are not persuasive.

Applicant argues on page 2 second paragraph that digital information appliance 900 is not a display controller, however, this position is not correct. Digital information appliance 900 performs the claimed functions of a display controller and is therefore properly labeled a display controller. Digital information appliance 900 receives information from an external source and controls its display on a display device 914, thus, digital information appliance 900 was properly considered a display controller.

Applicant argues in the paragraph spanning pages 2-3 processor 902 performs scaling and that display system 912 does not perform scaling. This may be true but digital information appliance 900 is considered to be a display controller because its purpose is to display information provided by external sources, see column 2 lines 58-67, rather than generate information independently as a personal computer may generate.

Applicant argues in the first full paragraph on page 3 that digital information appliance 900 does not produce a display signal, however, digital information appliance 900 would inherently produce a display signal either in display system 912 or within display 914 itself.

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Applicant argues in the second full paragraph on page 3 that user defined area 622 is not a non-integer fraction of the main surface. The main surface is the entire screen of display device 612. User defined area 622 is a non-integer portion of the display device's screen. Thus, user defined area 622 is a non-integer fraction of the main surface.

In the argument spanning pages 3 and 4 applicant presents further arguments concerning the non-integer fraction. Applicant specification does not define what applicant exactly means by non-integer fractions. Furthermore display device 612 is in one embodiment a television having 320x200 resolution. The user defines the size of area 622, thus, if the user selects an area 90 pixels by 29 pixels applicant has chosen $90/320=9/32=.28125$ and $29/200=.145$ both of which results in non-integer numbers or non-integer fractions.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffery A Brier whose telephone number is 703-305-4723. The examiner can normally be reached on M-F from 6:30 to 3:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi, can be reached at (703) 305-4713). The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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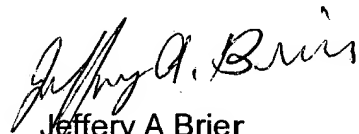
published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, reading "Jeffery A. Brier". The signature is written in a cursive style with a large, stylized initial "J".

Jeffery A Brier
Primary Examiner
Art Unit 2672